

### 3.9 Jolina Court District (JC)

**Purpose:** The purpose is to support employment, light industry, commercial enterprises, community gathering spaces, dense and affordable housing, and other compatible uses that bring value to the community and maintain Richmond's unique sense of place. It will also support the traditional village mixed use patterns with street level commercial uses and upper floor residential uses. There are 3 primary goals for this district:

Help improve the economic vitality of Richmond by attracting desirable new businesses to the site, creating jobs, and increasing municipal water and wastewater utility use.

Attract residents and visitors to our village center for community and commercial activities.

Increase the housing density, affordability, and diversity in order to support a vibrant and diverse population of Richmond residents.

Any development in this district shall enhance the overall village area and shall be compatible with the surrounding mix of residential, non-residential, and municipal uses. Any development proposal shall fit into the vision for Richmond as described in the Richmond Town Plan.

**3.9.1 Allowable Uses Upon Issuance of Zoning Permit**-The following uses shall be allowed uses in the Jolina Court District upon issuance of a Zoning Permit by the Administrative Officer. More than one ~~principal~~ use per lot is allowed in this district.

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- a) Artists/Crafts studio
- b) Family Childcare Home
- c) Cooperative Work Space
- d) Museum
- e) Office, Business
- f) Office, Professional
- g) Personal Services

**3.9.2 Allowable Uses Upon Issuance of Site Plan Approval**- The following uses shall be allowed uses in the Jolina Court District upon issuance of site plan approval. More than one ~~principal~~ use per lot is allowed in this district.

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- a) Bank
- b) ~~Family Child Care~~ Childcare Facility - center based
- c) Health or Fitness Facility
- d) Hotel
- e) Inn or guest house
- f) Laundromat
- g) Retail business
- h) Training Facility
- i) Agriculture, silviculture and horticulture as provided in Section 2.4.5

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**3.9.3 Allowable Uses Upon Issuance of Conditional Use Approval**-The following uses may be allowed in the Jolina Court District after issuance of conditional use approval by the DRB. More than one ~~principal~~ use per lot is allowed in this district.

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- a) Brewery
- b) Catering Service
- c) Commercial Multi-Use

- d) Educational Facility as provided in Section 5.10.4
- e) Food Processing Establishment
- f) Funeral Parlor
- g) Light Manufacturing
- h) Health Care Services
- i) Health Care Facility
- j) Pharmacy
- k) Planned Unit Development
  - i) as provided in Section 5.12, if no subdivision of land is proposed (see Section 5.12.1).
  - ii) Residential Dwelling Units as part of a Mixed Use Planned Unit Development.
- l) Pub
- m) Recreational facility, indoor or outdoor, facility or park
- n) Research laboratory
- o) Restaurant
- p) Religious use as provided in Section 5.10.4
- q) State- or community-owned and operated institutions and facilities, to the extent allowed by Section 5.10.4
- r) Tavern
- s) Theater
- t) Wholesale trade

### **3.9.3 3.9.4 Residential Density and Requirements**

- a) Each residential dwelling unit shall require 1/15 acre of developable land located on the same lot as the unit. This equals a residential density of 15 units per acre. The residential density shall be calculated as provided in section 4.12
- b) Residential dwelling units shall be restricted to the floors above or below the main floor of any building and shall not be allowed on the main floor. These units may only be approved as part of a mixed-use Planned Unit Development. All residential dwelling units are required to meet Vermont Fire and Building Safety Code

**3.9.4 3.9.5 Dimensional Requirement for Lots in the JC District**-No Zoning Permit may be issued for Land Development in the J/C District unless the lot proposed for such Land Development meets the following dimensional requirements:

- a) Lot Area-** No lot shall be less than one-fourth (1/4) or 0.25 acre. The purchase of additional land by the owner of a lot from an adjacent lot owner will be permitted, provided such purchase does not create a lot of less than the minimum area required in the Zoning District on the part of the seller.
- b) Lot Dimensions-**Each lot must contain a point from which a circle with a radius of twenty-five (25) feet can be inscribed within the boundary of the lot.
- c) Lot Frontage-**No lot having frontage on a public or private road shall have less than seventy-five (75) feet of continuous uninterrupted length of said frontage or the lot must have access to a public or private road with approval by the DRB pursuant to Sections 4.2 and 4.3.
- d) Lot Coverage-** The total ground area covered by all structures, parking areas, walkways, driveway and areas covered by impervious materials shall not exceed eighty percent (80%) of the total ground area of the lot.

**3.9.5 3.9.6 Dimensional Limitations for Structures on Lots in the JC District**

- a) Height-**The height of any structure shall not exceed thirty-five (35) feet, exceptions as provided in Section 6.6. In addition, all units in which people live or work must be provided with an egress window whose lower sill or threshold shall not exceed thirty-two (32) feet from the adjacent grade. ~~All bedrooms shall require an egress window, and no egress window in a bedroom shall exceed thirty-two (32) feet from the adjacent grade.~~ **and must meet all municipal and state fire safety codes.** Structures shall have at least one point where the threshold of the roof is no higher than 32 feet from the directly adjacent grade to allow for ladder access by fire and rescue personnel. No variances or waivers shall be given for this Dimensional Limitation.
- b) Front Yard Setback-** A principal structure shall be set back at least ten (10) feet from the front lot line. An accessory structure shall be set back at least five (5) feet from the front lot line.
- c) Side Yard Setback-**A principal structure shall be set back at least ten (10) feet from each side lot line. An accessory structure shall be set back at least five (5) feet from each side lot line.
- d) Rear Yard Setback-**A principal structure shall be set back at least ten (10) feet from the rear lot line. An accessory structure shall be set back at least five (5) feet from the rear lot line.
- e) Footprints of Principal Structures-** ~~Principal structures shall not exceed 5000 square feet in footprint area.~~ One principal structure may have a footprint area of up to, but not exceeding, 8000 square feet. **The remaining principle structures shall not exceed 5000 square feet in area.**

**3.9.5 3.9.7 Other Requirements Applicable to Lots in the JC District-** No Zoning Permit may be issued for Land Development in the J/C District unless the Land Development meets the following requirements:

- a) Parking Requirements-** Parking Supply-In this district, the residential parking requirement shall be based on the number of bedrooms per dwelling unit. The spaces required shall only serve to calculate overall ~~supply, and supply and~~ shall not be assigned to specific dwellings.

Bedrooms	Efficiency (0)	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Spaces Required	1	1.5	2	2.5	3

Spaces shall increase by 0.5 spaces per additional bedroom. All other parking supply requirements shall follow the requirements as set forth in section 6.1.

- b) Loading Space Requirements** ~~—~~ Off-Road or Highway loading requirements shall be regulated as provided in Section 6.1.
- c) Signs** ~~—~~ Signs shall be regulated as provided in Section 5.7.
- d) Traffic Impact** ~~—~~ No permit or approval shall be issued for a use which generates more than 70 vehicle trip ends during the P.M. peak hour for the first 40,000 square feet of lot area or fraction thereof, plus 1

vehicle trip end for each additional 1,000 square feet of lot area. In making the determination of traffic impact, the Administrative Officer or DRB shall utilize "Trip generation ~~—~~ Seventh Edition ~~—~~ 2003", Institute of Traffic Engineers (ITE), or its equivalent, or any subsequent and most recent publication thereof, and may use estimates from other sources, including local traffic counts, if the above publication does not contain data for a specific use or if a use contains unique characteristics that cause it to differ from national traffic estimates.

**e) Access** ~~—~~ Access shall be regulated as provided in Sections 4.1 through 4.4.

**f) Sidewalks**- Sidewalks that connect all buildings on Jolina Court with the sidewalks on Bridge Street shall be required. They may be connected individually or in series. The purpose of this is to ensure walkability of any new development and ensure connection to the downtown area.

**g) Compatibility**- The purpose of this requirement is to allow the Development Review Board to review and approve the visual aspects of new construction or new or remodeled exteriors. The goal of this requirement is to ensure public ability to review the visual rendering, and the opportunity to provide input. A visual rendering of any new construction or remodeled exterior shall be required as part of a site plan and/or conditional use application. Any changes to the ~~facade, façade,~~ size, or scale of new construction or a remodeled exterior shall require a new visual rendering that portrays the proposed changes and shall require an amendment to the Development Review Board's original site plan and/or conditional use approval which contains the most recent iteration of the visual rendering. Publically-displayed visual renderings must be in accordance with section 5.3.3 (b). The following shall be considered when reviewing the application:

- a) Compatibility of size, scale, color, materials, and character of the district, and construction utilizing materials similar or the same to the existing buildings of the district, is required for all new construction and all new or remodeled exterior facades.
- b) Applicants shall be required to demonstrate compatibility through examples, research, architectural consultation, or other means.

This compatibility requirement shall not prohibit artistic expression, ability to landscape, commercial viability, creativity, or individuality.

~~**h) Residential Use** Residential dwelling units shall be restricted to the second story/floor or higher of any building and shall only be approved and permitted via Planned Unit Development.~~

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~~**i) Fire Protection**~~- Any building using engineered lumber shall have the appropriate placard as deemed necessary by ISO standards. This placard shall be placed at the primary ingress/egress of the main floor of said building.

~~**j) i) Additional Possible Conditions**~~ - The following site standards also may be required as a condition of Development Review Board approval

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- Greater setback or screening requirements along the perimeter of the property
- Adequate pedestrian circulation

- Demonstration of the ability to properly develop, operate, and maintain development roads, utilities, driveways, parking, sidewalks, landscaping, and other conditions or standards imposed

**Additional Amendments to the existing Richmond Zoning Ordinance (PC Approved):**

**New Section:**

**4.12: Residential Density Calculation-** Residential density shall be calculated in terms of dwelling units per developable acre of land per parcel. Developable land excludes those lands which are outlined in section 2.5. Floodplain acreage shall not be included in developable acreage. Residential density calculation results shall be rounded to the nearest whole number according to the convention below, where X is a whole number.

X.0-X.49 shall be rounded down to X.

(example: 10 units/acre x 0.22 acres = 2.2 units, rounded to 2 units, X in this case is 2)

X.5-X.99 shall be rounded up to X.

(example: 10 units/acre x 0.55 acres= 5.5 units, rounded to 6 units, X in this case is 5)

0.X shall be rounded up to 1.

(example: 10 units/acre x 0.07 acres=0.7 unit, rounded to 1 unit, X is any fraction between 0 and 1)

**Under Definitions 7.1:**

• **New Definitions:**

- Main Floor: ~~The main floor of a building or structure shall be the floor of primary ingress and egress~~ into a building or structure that is ~~not a cellar, not a basement, and not a semi-below grade or walkout basement.~~ of any type
- Residential Use: ~~Uses~~ uses including dwelling units and those uses that are associated with dwelling units such as owner or tenant storage, parking, laundry, common space or common land owned or used by tenants or owners for private use of said tenants or owners.
- Bedroom: A room within a dwelling unit ~~containing an egress window and closet~~ used for the primary purpose of sleeping. To qualify as a bedroom, all fire safety codes must be met.
- Pharmacy: ~~a store where medicinal drugs are dispensed and sold, not including medicinal marijuana or marijuana products,~~ an establishment where prescription and over-the-counter medications are sold
- Brewery: a place where beer is made commercially
- Basement: the level or portion of a building that is wholly or partially below ground level. Special types of basement include:
  - Walkout Basement: a basement that incorporates one or more walls with windows and a door that opens at grade so that a person may “walk out”, ~~also referred to as a Terrace Basement~~
  - Daylight Basement: a basement with windows above ~~grave~~ grade but no door to the outside
- Child Care Facility: ~~Any building or place operated as a business or service on a regular or continuous basis.~~ an establishment whose function is the care of children on a regular basis

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outside the child(ren)'s home for less than 24 hours per day by a person or persons other than the child or children's own parents or guardians. These facilities may be of the following types:

- Family Childcare Home: A home in which the owner or primary resident is a licensed childcare provider (regulated by 24 VSA §4412)
- ~~Family Childcare Facility – center-based~~: A facility that is not a residence in which the operator(s) of the facility are licensed childcare providers who do not reside in the facility (regulated by 24 VSA §4412)
- Cooperative Workspace: a type of office space which allows individuals to share some common office resources, yet work independently or collaboratively
- Funeral Parlor: ~~a building~~ an establishment used for the preparation of the deceased for burial and the display of the deceased and rituals connected therewith before burial or cremation
- Group Home (amend to put "24 VSA" before the statute section number)
- Health or Fitness Facility: an establishment that provides facilities for physical activities such as aerobic exercises, running and jogging, exercise equipment, game courts, swimming facilities, and saunas, showers, massage rooms, and lockers; ~~and~~ which is operated on a fee or membership basis.
- Health Care Services: an establishments providing support to medical professionals and their patients, such as medical and dental laboratories, blood banks, oxygen, and miscellaneous types of medical supplies and devices
- Health Care Facility: a facility or institution, whether public or private, principally engaged in providing services for health maintenance and the treatment of mental or physical conditions
- Laundromat: an establishment providing apparel laundering services or machines on the premises for the general public, but does not provide dry-cleaning on or off premises
- State or Community Owned and Operated Facility: a building or structure owned and operated by a governmental agency to provide a governmental service to the public
  
- Office, Professional: an establishment that offers services of practitioners of the recognized professions (for example, doctor, dentist, chiropractor, architect, lawyer, engineer, accountant, real estate broker, veterinarian)
  
- Office, business: an establishment where the management affairs of a business, commercial or industrial organization or firm are conducted.
  
- Dwelling unit: a room or group of rooms within a building containing cooking, bathing and sleeping facilities that functions as the living space for a single set of family members or roommates. A building or structure may be occupied by one, two or multiple dwelling units. The term "dwelling" is also used to refer to a dwelling unit in these regulations.  
*(this definition replaces both "dwelling" and "dwelling unit" in the RZR)*
  
- Efficiency or efficiency apartment: a type of dwelling unit in which the functions of the living room, kitchen and bedroom exist in a single room.
  
- Establishment: a business, organization, institution or household

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**Under PUD Section 5.12.2 (f):**

- 5.12.2 (a) and (f)-add reference to Jolina Court District *(in the 2<sup>nd</sup> sentence)*
  - 5.12.2 (f) *(add sentence at end of paragraph)* “ In the Jolina Court District Section 3.9.5 (b) shall apply.”
  
- “In any primary structure in the Jolina Court District, at least the main floor must be in commercial use. Any and all floors may be in commercial use, but residential uses shall be restricted to the floors other than the main floor. Basements or walk-out style basement floors may be in residential or commercial use so long as the Vermont Fire and Building Safety Code is being met.”

**Under Section 5 -- Permits and Approvals**

- 5.3.3 Misrepresentations
  - a) Any zoning permit issued upon material inaccuracies or misrepresentations in an application or in any supporting documents to an application shall be null and void and shall not be construed as waiving any provision of these zoning regulations.
  - b) Any visual rendering of a permitted project that is displayed publically shall be the same visual rendering that has been presented to and approved by the DRB or the Administrative Officer.

**Under Section 5.7 – Signs**

- 5.7.4 add reference to Jolina Court District